

Testimony Before
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COMMITTEE ON GOVERNMENT REFORM

NATIONAL PARKS OF ALASKA

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Anchorage Alaska
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Thank you, Mr. Chairman, for this opportunity to testify about the important issue of relations between the National Park Service and residents who live within the boundaries of and the Gateway Communities to the parks.

It is apparent that you have a strong desire to make our nation s parks better places to visit and enjoy, a desire that my wife and I share.

My name is Rick Kenyon. My wife Bonnie and I have lived full-time in the McCarthy area since 1977. We have been contract weather observers for NOAA and the FAA since 1983. We operate a Bed & Breakfast near McCarthy. Since 1992 we have published a news magazine called the *Wrangell St. Elias News* 6 times a year. Each spring we publish *A Visitor s Guide to Kennicott and McCarthy*, which is given free of charge to area visitors. We also pastor the McCarthy-Kennicott Community Church.

For 26 years we have watched the interaction between the rural Alaskan communities of McCarthy and Kennecott, and the Park Service. For the majority of those years it must be characterized as adversarial. Fortunately, much progress has been made during the past two years.

When Park Service historian Geoffrey T. Bleakley wrote the official Administrative History of Wrangell-St. Elias National Park & Preserve, Alaska, 1978-2001, he unfortunately had to title it *Contested Ground*.¹

In short, Alaskans and inholders believed their small parcels of privately-owned land were theirs to use and manage, while the NPS viewed them as threats to the park and to park resources. Landowners and residents were often treated as lower-class citizens, not capable of managing their small holdings. Not surprisingly, as his paycheck came from the Park Service, Bleakley laid blame for the conflict at the feet of the inholders and the State of Alaska.

Also not surprisingly, the miners were the first of the inholders to go. Mostly small-scale

operations, many of them recreational placer claims, they gave up after years of constantly changing regulations and hostility from park managers. They learned that what had sounded like protections in ANILCA often meant little or nothing. Official park history says that these individuals donated their claims. Often the people themselves say their claims were stolen. Usually no compensation was given.

One unusually patient individual, Wallace McGregor, has waited for 26 years hoping for just compensation for the taking of his Orange Hill property. The Orange Hill property was a 3603-acre parcel of patented (363 acres) and unpatented (3,280 acres) mining claims enclosed within the Wrangell-St. Elias National Park and Preserve (WRST). It appears that Mr. McGregor's efforts have been in vain.²

Some inholders merely wanted to live their lives in harmony with nature, in what became known as the subsistence lifestyle. A number of them lost the access to their property or their property itself. For the most part the remaining small minority has been left alone, as long as they have been careful to get the proper permits and agree to the official NPS interpretation of subsistence rules and regulations.

Others saw increasing tourism as an opportunity to serve the visitors through small mom-and-pop businesses. Before the creation of the park, the Nabesna area was home to over a dozen of these small family enterprises. Visitors to the area were served by a host of small restaurants, gas stations and lodges. Now most of them are gone. Many of those affected blame animosity and lack of cooperation on the part of NPS personnel for the economic failures in their small community. A very few prospered, getting what was seen by their neighbors as sweet-heart deals from the Park Service. Visitors to the area suffer as those goods and services are no longer available, or the few that remain have no competition.

In the spring of 1994 a hearing similar to this one was held here in this same building. *Anchorage Voice of the Times* reporter Dennis Fradley summed the meeting up this way:

One after another, each individual told of how he or she was being mistreated by the Park Service. They painted a picture of an agency gone amok—a federal bureaucracy that has become an arrogant despot, trampling individual, property and state's rights at will.

I wish I could tell you that things changed for the better after that hearing. Unfortunately they got worse.

Part of the problem has been that inholders who challenge NPS management decisions have been punished. They have been badgered by park service airplanes flying low over their remote property, had their access challenged, or denied, sometimes threatened with large fees just to use the driveway to their homes. And they have been dragged into federal court on what many perceive to be trumped-up charges.

On the other hand, federal managers who acted badly were rewarded.

Take, for instance, former WRST superintendent Karen Wade.

In May of 1994 the *Wrangell St. Elias News* published an article entitled "NPS superintendent says inholdings threaten park resources."

WRST Superintendent Karen Wade had recently testified before Congress that inholdings were threatening park resources, that she needed more money for trained backups to ride shotgun while they patrol for poachers and contact locals with frontier mentalities who scoff at rules and regulations...

Alaskans responded with understandable outrage, and Wade was forced from her position as WRST superintendent in less than a week.

Far from being punished, however, she was rewarded by being made the superintendent of Smoky Mountains National Park in July of that same year.

Wade was given the prestigious Superintendent of the Year Award in 1998.

In 1999, Wade was named to head the Intermountain Region as regional director.

Throughout her career, Karen Wade has been a strong, energetic leader, and has demonstrated innovation and wisdom in handling many challenges, said Interior Secretary Bruce Babbitt. She also has shown courage in standing by tough decisions to protect parks under her care while building strong community support for conservation goals. We are very fortunate to have such a capable manager to fill this very challenging position.

By April of 2003, the infamous NPS War in the Wrangells was underway under WRST Superintendent Gary Candelaria and Chief Ranger Hunter Sharp. For the next year, the Park Service gained international notoriety as an estimated quarter-million dollars was spent in an apparent effort to force the Hale family from its land near McCarthy. The Hales are still in federal court with NPS, largely because of misapplication of the National Environmental Policy Act (NEPA) by Candelaria and Sharp.

During this same time, the troubling story of Doug Frederick was nearly lost in the furor over the Hale situation.³

Doug Frederick, an inholder at Slana, was hounded and forced into federal court when he tried to repair an ATV trail in the same area where the NPS is currently being sued for mismanagement of ATV trails. His crime was to put a wooden pallet in a wet spot that had a soft bottom an area that was becoming braided and damaged.

Alaskans soon rallied and presented a petition to Secretary of the Interior Gail Norton, through her representative in Alaska, Cam Toohey.

The petition "PROTESTS the outrageous criminalizing by the National Park Service and the federal courts of a public spirited man, Doug Frederick, of Slana, who was undertaking a volunteer trail improvement demonstration. It continues, The National Park Service claims to be a good neighbor but its actions abusing this family speak louder than words. The \$500 fine imposed by Magistrate John Roberts is not against Doug and Judy Frederick. IT IS AGAINST THE ENTIRE COMMUNITY and it is obviously intended to send a message that if anyone tries to protect the public's ANILCA rights, they will be punished by the system.

THE COMMUNITY SENDS THIS MESSAGE BACK TO THE NPS: What has been done is unjust, oppressive, not correct, not credible, and not honest. We have collected all of the fine

money here tendered among us. We resolve that the Fredericks will pay none of it."

Chief Ranger Hunter Sharp finally took an early retirement (along with his wife Devi, who had been the park's Resource Manager, working under her husband).

His assistant throughout these episodes was Ranger Marshall Neek, who was promoted to his current position as Chief Ranger at WRST. Neek's wife Vicki works alongside her husband as the park's Chief Planner.⁴

Candelaria was moved to Harpers Ferry, and rather than being chastised as probably the most unprofessional superintendent that WRST had ever had, he was instead awarded with the prestigious Stephen T. Mather Award by the National Parks and Conservation Association.⁵

A Park Service press release dated November 16, 2004, said this about Candelaria:

Former Park Superintendent Receives Award

Superintendent Stands Up for National Park Protection

Washington, D.C. The National Parks Conservation Association (NPCA) today bestowed its prestigious Stephen T. Mather Award on former Wrangell-St. Elias National Park and Preserve Superintendent Gary Candelaria for his unwavering dedication to the protection of Wrangell-St. Elias, his commitment to park staff and volunteers, and his overall efforts to ensure that the thousands of visitors who visit the park annually enjoy a memorable experience.

The release failed to mention that Candelaria had closed the McCarthy Road Information Station and cut back on other visitor services in order to help pay for his campaign against the Hales and Fredericks. He also had distributed to visitors a very unprofessional letter that defamed the Hale family. Hardly the actions that would ensure that the thousands of visitors who visit the park annually enjoy a memorable experience.

There was no question but that Candelaria was being rewarded for his attacks against inholders at WRST.

Alaska's current NPS management has made moves in the right direction. Director Blasak appointed the very capable Jed Davis to replace Candelaria at WRST. Great strides towards understanding and cooperation between the NPS and locals were made under Jed's leadership. Sadly, cancer claimed Jed's life this spring. It is hoped the next superintendent will display Jed's commitment to working fairly and honestly with the communities in the park. Unfortunately some of the gains made have already eroded under interim management.

Since access to inholdings had become such a contentious issue with the Hale and Frederick cases, Governor Frank Murkowski requested that NPS write a Handbook for Access to Inholdings in Alaska. Draft One of the handbook was a disaster. It called for revokable permits, fees and other restrictions that landowners and the State of Alaska found intolerable.

Draft Two was somewhat modified, dropping the fees and setting forth a 30-year term for the permits. However, most of the comments on Draft One went unanswered.

In the past two months, considerable progress has been made as Director Blasak and Deputy

Director Knox have taken the reins of the project and met with affected parties to hear their concerns, and to openly convey the concerns and goals of the NPS.

Somehow, rules were written in 1986 that do not accurately reflect the intent of ANILCA particularly when NPS chooses to interpret the rules in the strictest sense.

Senator Ted Stevens, in a letter to Regional Director Marcia Blasak has asked that NPS begin a rule-making change to reflect that the National Environmental Policy Act (NEPA) does not apply to access to inholdings in Alaska parks. NEPA has been used to effectively deny access to inholders at WRST. I wholeheartedly agree with the Senator. Several other areas of the rules pertaining to access to inholdings should be addressed at the same time.

During the 26 years since the establishment of WRST, one of the more frequent comments I have heard made by Alaskans is that they view the parks in Alaska as being managed primarily for the use and pleasure of NPS employees rather than the public at large.

In large part I have to agree. In 26 years of development, the vast majority of public funds have been spent at WRST on infrastructure used for the primary or even exclusive use of NPS employees. Millions of dollars were spent on the park headquarters located at Copper Center, many miles from the nearest entrance to the park.

Early on in the park's history, several million dollars were spent at May Creek, 10 miles east of McCarthy, on what many call a private resort for NPS employees. Accessible only by aircraft, the housing and lodge facilities are off limits to the general public. Even a well-drilling rig was flown in at a reported cost of \$25,000 so that employees could enjoy a shower after a day of hiking or riding ATVs in the park.

Currently, the Kennicott support facility on the west side of the Kennicott River has consumed several millions of dollars with a large \$65,000 solar array, diesel backup generation, satellite communications, and laundry facility. Without question it provides better accommodations for temporary park staff than what is enjoyed by the average inholder in the park.

Right across the road is the McCarthy Road Information Center which is the contact point for visitors who have just driven the McCarthy Road from Chitina. It has only one small solar panel connected to a car battery and a cell phone and one propane light. I know. I work there on Friday nights as an unpaid volunteer interpretive ranger.

The visitor contact point at Chitina is staffed only with community volunteers and only a few days a week.

We recently agreed with NPCA when they requested that the NPS help fund some basic toilet facilities along the 60-mile road from Chitina as visitors face a two to three hour drive with no rest stops.

Rural Alaskans find it hard to work towards promoting more funding for the National Parks when they see such abuse, much of which is likely never seen beyond the local area, let alone in Washington, D.C.

The May 8 edition of the *Anchorage Daily News* published an OPED by McCarthy resident and business owner Neil Darish.⁶

Darish pleaded for a new understanding of the importance of rural communities within Alaska's National Parks.

Nature and thriving pre-existing communities are not mutually exclusive concepts. Around the world, administrators of protected areas have proven this. Current access issues, visitor kiosk closures and lawsuits reflect a need for a more inclusive agenda. Management actions reflecting the 1960s philosophy of "man is a threat to the wilderness" instead of the worldwide standard that "the residents are a resource" are counterproductive. Marcia Blaszak, the new Alaska regional director for the National Park Service, could set the tone for better cooperation between local residents and managers of Wrangell-St. Elias. Why move to Alaska if not for the love of nature? Who better to partner with than those who choose to live a wilderness lifestyle?

What is needed is a clear statement from our Park Service Alaska regional director that her philosophy allows the residents in this park to thrive.

I have had the privilege of working with Director Blasak and her deputy Vic Knox these past months, and have confidence that they will show the strong leadership that can indeed put the *Service* back in the National Park Service. It will, however, not be easy.

My desire, and I believe that Marcia and Vic share that desire, is that instead of *Contested Ground*, residents and park managers will find *Common Ground* and learn to work together. All Americans will benefit from the effort.

1. <http://www.nps.gov/wrst/contestedground.htm>
2. <http://wsen.net/JA2006/free/page9.html>
3. <http://www.landrights.org/ak/wrst/Frederick.htm>
4. <http://www.landrights.org/ak/wrst/rangers.htm>
5. <http://www.nps.gov/wrst/pressreleases/candelariaaward.htm>
6. <http://www.mccarthy-kennicott.com/JA2004/page9.html>